

Message

---

**From:** BECKHAM, LISA [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=75A0012699094CF59508BB04E90B393C-LBECKHAM]  
**Sent:** 3/15/2016 6:45:03 PM  
**To:** McKaughan, Colleen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f37eb6f19d09495190cad9cca9ee8f62-CMCKAUGH]; Rios, Gerardo [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cda1a987055e4ec7933a421b0783923c-GRIOS]; Lyons, Ann [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=39ea390c390e41fd84511d6cdc266cee-ALYONS]; Smith, Noah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a576160b457b40d4905af1923609553b-NSMITH01]; Wilcox, Geoffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a4a78e829a3448cfb9e19fd209bb8616-GWILCOX]; Vetter, Cheryl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31cf6512cdd44f02bdfda975e406c194-Vetter, Cheryl]  
**CC:** Lee, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=29ae5f3d98a9435e88cf7d2f64a643a2-Lee, Michael]; Pilchen, Zach [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=50d43039fe954828b9f3833912c115f8-Pilchen, Za]; Smith, Kristi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ed7a08d522c54f2fa8387a7b5771d8d5-Smith, Kristi]; Spangler, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7e3768c791df43a39d5a53e1c7c66864-Sprangler,]; Castro, Grecia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77491fb5d258462eb4596749ca8c0448-GCASTRO]; Sutton, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a44a88e0b422443a80f29edcccdbe3-LSUTTO01]; Anderson, Lea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8317edf62f74e67bcf42adbdf7785e9-LANDER03]; Marks, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=66cf58c470d84403af7d7dfd7efc8016-Marks, Matthew]  
**Subject:** RE: Affirmative Defense and SSM - Delegated Title V permit  
**Attachments:** Title V Comment Letter - Denver Law.pdf; FCPP Title V comment letter 12042015FINAL.pdf

Hi everyone,

Here are the comment letters from the NGOs for NGS and Four Corners.

Lisa Beckham  
Environmental Engineer  
Air Permits Office  
EPA Region 9  
(415) 972-3811

-----Original Appointment-----

**From:** BECKHAM, LISA  
**Sent:** Tuesday, March 08, 2016 9:36 AM  
**To:** BECKHAM, LISA; McKaughan, Colleen; Rios, Gerardo; Lyons, Ann; Smith, Noah; Wilcox, Geoffrey; Vetter, Cheryl  
**Cc:** Lee, Michael; Pilchen, Zach; Smith, Kristi; Spangler, Matthew; Castro, Grecia; Sutton, Lisa; Anderson, Lea; Marks, Matthew  
**Subject:** Affirmative Defense and SSM - Delegated Title V permit

**When:** Tuesday, March 15, 2016 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

**Where:** Call: 919-541-4488 R9SF-Room-18323-6-Twenty-Nine Palms

Cheryl and Geoff- please forward to others, as needed. **Also, can one of you reserve a phone line, our lines are booked at this time?**

Background:

Navajo Nation EPA is in the process of renewing the title V permits for the Navajo Generating Station and the Four Corners Power Plant. NNEPA implements the part 71 program through a delegation agreement. The permits have already gone to public notice and comments were received that relate to affirmative defense and SSM exemptions. We anticipate the permits may be challenged to the EAB.

1. Is there a schedule in place for revising source-specific FIPs with affirmative defense provisions and SSM exemptions? Must we wait for such revisions to remove SSM exemptions in the FIP from the title V permit? (something else would need to be put in their place and could be considered a “new applicable requirement”)
2. Do we have the discretion to not include the FIP affirmative defense provisions in the title V permit without revising the FIP?
3. Do we have a preference for correcting the permit or should we let it wait until the next renewal? (Potential response if we wait: putting the source on notice that they may not be able to rely on the affirmative defense provisions.) Should we ask NNEPA to go back to public notice to remove the title V emergency provisions and the FIP affirmative defense provisions?

FIP Provisions are here:

Four Corners: [http://www.ecfr.gov/cgi-bin/text-idx?SID=f20803d3a20176ba5027a4770d139871&mc=true&node=se40.1.49\\_15512&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=f20803d3a20176ba5027a4770d139871&mc=true&node=se40.1.49_15512&rgn=div8)

NGS: [http://www.ecfr.gov/cgi-bin/text-idx?SID=f20803d3a20176ba5027a4770d139871&mc=true&node=se40.1.49\\_15513&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=f20803d3a20176ba5027a4770d139871&mc=true&node=se40.1.49_15513&rgn=div8)